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Summary record of the 3251st meeting
Held at the Palais Wilson, Geneva, on Friday, 18 March 2016, at 10 a.m.

Chair: Mr. Salvioli

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The meeting was called to order at 10.05 a.m.

Consideration of reports submitted by States parties under article 40 of the Covenant (*continued*)

Fourth periodic report of Rwanda (continued) (CCPR/C/RWA/4; CCPR/C/RWA/Q/4 and Add.1)

1. *At the invitation of the Chair, the delegation of Rwanda took places at the Committee table.*

2. **The Chair** invited the delegation to continue with its replies to questions raised by the Committee at the previous meeting.

3. **Mr. Busingye** (Rwanda) said that the delegation would provide answers to some of the questions in writing. The Rwanda Defence Force was precluded from arresting or detaining people by law. The military police, meanwhile, had the authority to apprehend and arrest military personnel who broke the law. Kamp Kami was a barracks and was not used as a location for the interrogation or detention of suspects. There was no police detention centre known as Chez Gacinya in Kigali or anywhere else in Rwanda.

4. Kizito Nihigo and Joel Mutabazi had been given a public trial, as had been their right, that complied with all the basic tenets of due process and were serving sentences for offences of which they had been found guilty. They enjoyed the same rights as all other prisoners, including visitation rights. André Kagwa Rwisereka and Denis Ntare Semadwinga had been killed in unknown circumstances. The Rwanda National Police had launched an investigation, which was ongoing, but as yet had insufficient information to take further action. Patrick Karegeya and Charles Ingabire had been murdered outside the territory of Rwanda. Although the Government had attempted, through diplomatic channels, to enquire about the events leading up to their deaths, no conclusive evidence had been uncovered to date. The same was true of the attempted assassination of Kayumba Nyamwasa. It was important to recognize the fact that the Government had limited control over events in other countries.

5. The Government had a zero-tolerance policy towards torture. Gikondo Transit Centre was not a detention facility but a rehabilitation centre for petty offenders. A rehabilitation centre for juvenile offenders had been established and was equipped to provide primary and secondary education.

6. In reply to a question concerning reports by the Group of Experts on the Democratic Republic of the Congo that the "Mouvement du 23 mars" (M23) armed group, which had committed human rights abuses in the eastern Democratic Republic of the Congo, had received support from Rwandan territory, he would like to draw the Committee's attention to the Government's official response as set forth in annex 109 to Security Council document S/2014/42.

7. Article 16 (2) and (5) of the 2013 Extradition Law provided that no individual could be extradited if there was a possibility that he or she might undergo torture or that the death penalty might be applied. A person could be extradited only if he or she were granted all the rights enshrined in the Covenant. Extradition orders were not executed until all appeals against them had been exhausted. Persons awaiting deportation or extradition were held in regular detention centres for want of a designated removal facility. The same international standards for the treatment of prisoners were applied to all detainees; untried prisoners were kept separate from convicts.

8. In its present form, the reproductive health bill, which was under consideration by the Chamber of Deputies, contained no reference to limiting abortion rights. The Government would continue to monitor developments in that regard.

9. **Mr. Vardzelashvili** said that he would like to know whether it was true that, under Act No. 59/2008, which dealt with the prevention and punishment of gender-based violence, persons who filed a complaint could be punished for refusing to testify in court. He invited the delegation to describe the type of assistance provided to victims of gender-based violence and to elaborate on the protection measures in place for those victims.

10. He noted that, while the corporal punishment of children was prohibited, the imposition of corrective measures such as compulsory work was permitted. Was any official guidance given on acceptable forms of punishment? He wondered to what extent compulsory work could be reconciled with the State party's obligations under the Covenant.

11. With regard to the treatment of persons deprived of their liberty, he had noted that, despite some progress, particularly with regard to overcrowding, prison conditions were still frequently described as harsh or even life-threatening. He therefore wished to know what further measures were envisaged to improve the situation in the country's prisons and in police and military detention centres. He would appreciate receiving statistics on the number of pretrial detainees in such centres and would like to know why, according to reports, there was a certain level of interaction between untried prisoners and convicts.

12. The monitoring of detention centres remained a serious problem. In that connection, he would like to receive information on the impact of the measures that had been adopted to strengthen the monitoring capacity of the Ministry of Internal Security, on the total number of inspections conducted by authorized monitoring bodies, on any recommendations issued by those bodies, on the number of detainees who had filed complaints and on the number of those complaints that had been investigated. He invited the delegation to comment on reports that a fear of reprisals deterred detainees from submitting complaints. Had the Government ever looked into allegations of persons being held in secret detention centres or allowed international observers to visit suspected locations? Statistics on the average and maximum lengths of pretrial detention would be helpful. It was difficult to see how certain provisions of the Code of Criminal Procedure, pursuant to which suspects could be detained for a maximum of 72 hours before having their case referred to a prosecutor and for a maximum of 7 additional days before being brought before a judge, were compatible with article 9 of the Covenant.

13. It was regrettable that, during the reporting period, there had been no progress in providing greater protection for the enjoyment of the freedoms of assembly, association and expression, which, though guaranteed by the Constitution, were restricted in practice. He would appreciate it if the delegation would reply to the questions raised in paragraph 21 of the list of issues (CCPR/C/RWA/Q/4) and wished to know whether it was true that the organizers of peaceful assemblies could be held liable for the unlawful behaviour of other participants. He wished to know why international NGOs were required to re-register every year, how many registration requests had been denied, how many requests were pending and how long, on average, the registration process took.

14. The Committee was concerned at reports of harassment of human rights defenders and journalists. He would welcome the delegation's comments on claims that leaders of the Human Rights League in the Great Lakes Region had been prevented from travelling freely in Rwanda and that, in an attempt to bring about changes in leadership, two members of the Rwandan League for the Promotion and Defence of Human Rights had been arrested and charged with forging documents.

15. It would also be helpful for the delegation to comment on the cases of Idriss Gasana Byiringiro, a journalist with the weekly newspaper *The Chronicles* who had been detained after requesting an investigation into the confiscation of his laptop and mobile phone by security agents, and of Stanley Gatera, the editor of an independent news website who had been arrested on charges of attempted extortion, held for six hours and had subsequently

had to flee the country. Lastly, he would appreciate information on the investigation into the murder of Gustave Sharangabo Makonene, the coordinator of the Advocacy and Legal Advice Centre of Transparency International Rwanda. In particular, he wished to know what the suspected motive of the crime had been and if anyone had been convicted.

16. **Mr. Politi** said that he had received no reply to his question about reports of at least 30 cases of enforced disappearance in 2014 involving persons who had been arrested by State officials. In particular, he wished to know where those persons had been held prior to being taken into formal police custody. The delegation had also failed to respond to his request for information on investigations into alleged cases of torture and ill-treatment in a number of detention facilities, on any disciplinary action that had been taken in that regard, on criminal proceedings leading to convictions and the imposition of penalties in that connection and on compensation for victims.

17. He would like to know what safeguards, mechanisms and procedures were in place to prevent State officials from engaging in unlawful interference with the independence of the judiciary and to punish them if they did so. In that connection, the Committee would welcome information on the role and composition of the High Council of the Judiciary. In particular, it would like to know whether the Council was composed exclusively of judges or if it also included members of political parties and officials from the executive branch. Could the delegation provide statistics on cases in which criminal charges against State officials had been dismissed? Would it also comment on reports that defendants were at times denied access by the courts to relevant evidence in the possession of the Government? He would appreciate details about the training provided to judges on international human rights law and its impact on the application of human rights standards by the national courts. In the light of reports regarding shortcomings — including procedural irregularities and corruption — in the operation of *gacaca* courts, it would be helpful for the delegation to provide an assessment of the extent to which proceedings before those courts respected due process and fair trial standards.

18. Regarding the provision of State legal assistance for indigent persons, he would like to know how much funding was actually allocated for such assistance, how many lawyers were involved in representing indigent persons before the courts as opposed to merely providing them with legal advice, how many cases in which legal aid had been provided had been brought to court in recent years and how effective such assistance had been in ensuring that defendants had had a proper defence. With reference to paragraph 47 of the State party's replies to the list of issues (CCPR/C/RWA/Q/4/Add.1), he would like the delegation to provide further details on the mechanism that had been established to improve the provision of legal aid to minors.

19. The Committee would welcome detailed information on the number of children deemed to be in situations of vulnerability, such as children with disabilities and children affected by HIV/AIDS, and the measures planned or taken to combat the stigmatization of those children. What steps had been taken to reduce and eventually eliminate child labour?

20. **Ms. Pazartzis** said that she would appreciate it if the delegation would provide, in writing if necessary, the statistics on persons trafficked to and transited through the State party, as had been requested in paragraph 17 of the list of issues (CCPR/C/RWA/Q/4). The Committee would also appreciate detailed information on prosecutions instituted in cases related to human trafficking, in particular the number of convictions handed down, the nature of the penalties imposed and any reparation provided to victims. Updated information on the number of unregistered children in the State party would also be helpful. In that connection, the Committee would particularly welcome information on children born to migrants and refugees, since reports indicated that many such children were either registered late or not at all owing to complex registration procedures and late registration fees. With reference to paragraph 66 of the replies to the list of issues, she would like the

delegation to elaborate further on the concept of "historically marginalized people", which apparently included the Batwa community. Were there any plans to develop policies designed specifically to protect that community and to integrate its members fully into Rwandan society? Lastly, it would be interesting to learn more about the Government's position on the Senate's report on the conditions of historically disadvantaged Rwandans referred to in paragraph 26 of the list of issues.

21. **Mr. Iwasawa** said that, according to information received by the Committee, asylum appeals had to be submitted to the Ministry of Disaster Management and Refugee Affairs, which was the authority that was also responsible for adjudicating asylum claims at first instance. He would therefore appreciate it if the delegation could comment on the impartiality of the appeals examination procedure.

22. He would like to know how the provision of Act No. 60/2013, under which communications could be intercepted without prior justification, was interpreted in practice and particularly whether it was construed as entailing the application of the principle of proportionality. Was it the case that no prior judicial authorization was required for the interception of communications? If so, he wondered how written authorization by the Prosecutor General could be deemed to be a sufficient procedural safeguard.

23. While action that had been taken to clarify the definition of the offence of "genocide ideology", the continuing lack of clarity in the provisions on certain other crimes — for example, the offence of inciting insurrection or trouble among the population — was conducive to their use as a means of limiting any opposition to the Government, however moderate or peaceful such opposition might be. How were the provisions on such offences interpreted in practice? With reference to paragraph 20 of the list of issues, he would like to invite the delegation to respond to claims that broadly defined offences continued to be used to target political dissidents.

24. It would be helpful to learn more about the current status of consultations with stakeholders regarding the decriminalization of defamation and to know whether the State party planned to decriminalize the offence of "insulting by words, gestures, threats, writings or drawings". Were any safeguards in place to prevent abuse of the provision that required journalists to reveal their sources whenever it was considered necessary for purposes of carrying out investigations or criminal proceedings? Did the State party have any plans to further simplify the registration procedures for political and civil society organizations? Lastly, he would welcome the delegation's comments on reports that the Rwanda Governance Board had been involved in determining which persons were to take up leadership positions in NGOs.

25. **Mr. Ben Achour** said that he wished to know what measures the State party was envisaging to prevent discrimination against Jehovah's Witnesses on the basis of, for example, their refusal to sing the national anthem or participate in certain religious ceremonies on grounds of conscientious objection. He would also like to know whether consideration might be given to allowing conscientious objectors to refrain from performing military service. With reference to paragraph 70 of the replies to the list of issues, he invited the delegation to clarify which NGOs and civil society organizations had formed part of the treaty body reporting task force that had helped prepare the periodic report. He would appreciate it if the delegation could provide the Committee with the text of Act No. 19/2013, which governed the National Commission for Human Rights.

26. **Mr. Shany**, noting that, in recent months, there had been an increased number of refugees from Burundi, said that he wished to know how many had arrived, what their status was, whether they received immigration documents to regularize their stay, whether they were eligible for social services and whether their children received an education. The Committee had heard reports that the State party was considering deporting some of them,

and he wondered whether that was true. If it was, he wished to know what was being done to ensure that the principle of non-refoulement would be upheld. He also wished to know whether legal aid was provided to particularly vulnerable refugees and whether gender-based persecution was recognized as grounds for the determination of refugee status. Lastly, noting that the United Nations High Commissioner for Refugees had reported on overcrowding in the refugee camps, he would like to know whether the State party was monitoring the situation and whether any improvements had been made.

27. **Mr. Muhumuza** said that the State party had mentioned that it was reforming its legal system with a view to enhancing the promotion and protection of human rights. He would be grateful for examples of reforms that had made a substantive contribution to the achievement of that aim. He wished to know whether all tribal and ethnic groups were represented in the *abunzi* mediation system in order to ensure access to a fair trial and equal protection for all the people of Rwanda.

28. **Ms. Cleveland** said that, following the December 2015 referendum, the Heads of Missions of all the European Union member States in Rwanda had issued a joint statement expressing concern about the procedural shortcomings of the referendum process. They had noted that the one-week run-up to the referendum had not offered sufficient time for debate. The Heads of Mission had gone on to observe that the text of the draft constitution had been published less than one day ahead of the vote and that the short time between the announcement and the holding of the referendum had left little or no opportunity for all parties to present their arguments, despite government assurances that time would be allocated for an open exchange of opinions. The Heads of Mission had also found it to be regrettable that no arrangements for independent monitoring had been made. Under article 25 of the Covenant, referendums and elections must be conducted in a manner that guaranteed the free expression of the will of voters. She therefore would be interested to hear the delegation's comments on the aspects of the referendum mentioned in that joint statement. More broadly, she wondered whether there were laws in place which required that a referendum must be announced and that the content of the proposal subject to referendum must be widely published a certain amount of time in advance. Was independent monitoring of such referendums required? In other words, she wished to know what legal framework was in place to ensure that referendums were held in a transparent, inclusive manner.

29. The Constitution, as amended in 2015, provided that a former President of the Republic could not be prosecuted for treason or for serious, deliberate violations of the Constitution if no legal proceedings in respect of that offence had been brought against him or her while in office. That provision would appear to give President Kagame and his successors immunity from prosecution for human rights violations. In general comment No. 31, the Committee had reaffirmed that States parties were under a general obligation to investigate violations of Covenant rights and that the failure to bring to justice perpetrators of violations could in itself give rise to a separate breach of the Covenant. Perpetrators could not be relieved of their personal responsibilities. She therefore wished to know the reason for that amendment and how Rwanda intended to comply with its obligations to ensure the accountability of its Heads of State for any violation of the Covenant.

30. **Sir Nigel Rodley** said that he was glad to hear that the reproductive health bill did not place any additional restrictions on abortion. The State party had said that the bill built on the lessons learned from previous legislation, but, not having seen the text of the bill, the Committee was unable to tell what those lessons were. He hoped that the State party would provide the text.

31. The Committee understood that the State party's withdrawal of its declaration under article 34 (6) of the Protocol to the African Charter on Human and Peoples' Rights, which had allowed for the submission of individual complaints against it, had been due to the fact

that there had been a case in which an apparent fugitive from justice had sought to abuse the process provided for under the Charter. It was unclear to him, however, why the State party had no confidence in that body, which would in any case continue to formulate its own judgement, because a withdrawal of recognition could not be retroactive under the international adjudicatory system. He welcomed the fact that the withdrawal would only be temporary, but he still wondered why it had taken place.

32. As Mr. Iwasawa had mentioned, no answers had been forthcoming regarding the cases of Agnès Uwimana Nkusi and Saïdati Mukakibibi. The Working Group on Arbitrary Detention of the Human Rights Council had found that the two women's rights had been violated, and he would like to invite the delegation to comment on those cases. He would also be grateful if the delegation would comment on the cluster of issues raised by the Special Rapporteur on the rights to freedom of peaceful assembly and of association, who had taken note with concern of the Government's hostility towards peaceful initiatives on the part of its critics and the existence of a legal framework that silenced dissent. The Special Rapporteur had said that fear of a new genocide must not be invoked to impede the enjoyment of fundamental freedoms. The delegation's response had been to deny the validity of such concerns, but the Committee would be grateful if the State party would provide extensive, specific information on action taken to ensure freedom of assembly and association.

The meeting was suspended at 11.40 a.m. and resumed at 12.05 p.m.

33. **Mr. Busingye** (Rwanda) said that the Government did not interpret the legislation on violence against women as imposing penalties on victims who refused to testify, but it would review the legislation in the light of the Committee's comments. The aim had been rather to deal with cases of perjury or the use of false information to incriminate an innocent person. If it stopped a woman victim of violence from testifying, however, action must be taken to rectify the legislation. The Government provided care and protection for victims of gender-based violence through the Isange One-Stop Centres, of which there were currently 23, although it was hoped that there would be 30 of those centres by the end of 2016. Safe houses were also provided for victims of domestic violence.

34. The intention in terms of both law and practice was to outlaw corporal punishment and, if there were any areas in which there was still some ambiguity on that score, the Government would work to ensure that its obligations under the Covenant in that respect were honoured. The question of compulsory work was another aspect of the same issue.

35. It was possible that there was still some overcrowding in places of deprivation of liberty, but, as his country's reports had repeatedly shown, there had been a marked improvement in that respect, as the number of detainees and prisoners had been drastically reduced. All places of detention in which persons were held for 24 hours or 7 days had to comply with certain requirements, although some might at times fall short of fully meeting them. Convicts and remand prisoners were never held together. Prisoners had access to health services that were staffed by a nurse and a laboratory technician. They were often visited by a doctor and received the same treatment as other Rwandans. When necessary, a prisoner could be transferred to hospital. Regular campaigns on the prevention of non-communicable diseases were mounted, and the needs of prisoners with special dietary requirements were accommodated. Following the privatization of the catering service, the quantity and quality of regular meals and special diets had greatly improved. Children in prison with their mothers enjoyed all their rights as children: a special diet was provided until they were 3 years old and nursery schools were also available.

36. The latest figures indicated that the prison population was composed of 48,788 men, 3,787 women and 285 juveniles, which came to a total of 52,860. In order to ensure that prisoners who had completed their sentence were released on time, an electronic prison

watch system had been installed, so that every prison governor knew when a prisoner was due for release. He was not aware of any occasion on which that system had failed. As for the monitoring of detention centres by civil society, the International Committee of the Red Cross, Transparency International and the Legal Aid Forum, among other organizations, were allowed regular access to such centres and could make recommendations to the Government concerning conditions in places of detention. On the question of the independence of the judiciary, he would reply more fully in writing, but he could tell the Committee that the High Council of the Judiciary reported to no one. Approximately 70 per cent of its members were judges, but it also included representatives of the National Commission for Human Rights, the Office of the Ombudsman and the Bar Association. The Council was a guarantor of judicial independence.

37. Defence counsel had unimpeded access to prosecutors' files, and defence lawyers were allowed to photocopy those materials. An electronic management system was currently being installed, so attorneys would shortly be able to download whatever materials they wanted to examine. The country's legal aid policy, which was currently overseen by the Ministry of Justice, had been finalized in 2014, and an independently administered legal aid fund would be established and run by the Bar Association. It might be claimed that the budget was not sufficient for the provision of legal aid, but the fact remained that the State party always provided a lawyer for anyone who needed one.

38. He would provide further information in writing about human trafficking. The Government was continually monitoring the situation in cooperation with its development partners, including the United Kingdom, the United States and neighbouring countries.

39. Some disagreements with Jehovah's Witnesses had occurred at the local level. They were free to practise their faith, but the Constitution set out certain civic duties for all Rwandans. In his view, it was largely a communication problem: having persuaded Jehovah's Witnesses of the need for identity cards — without which a person could not open a bank account or obtain access to social services — and to accept the immunization of their children, he was confident that any difficulties could be overcome through discussion.

40. The genocide ideology law was a product of the country's history. Some amendments had been introduced, with assistance from foreign experts, but the importance of the law was gradually receding as the population became more educated and the reconciliation process proceeded. It was incorrect to say that that law was applied to political activists. The people named in paragraph 20 of the list of issues had all had open trials that had been conducted in accordance with due process. Their activism was incidental to their offences. Mr. Ntaganda had been arrested in 2010 and released after serving his sentence. Agnès Uwimana Nkusi and Saïdati Mukakibibi had been found guilty of genocide ideology and defamation and had received prison sentences of 17 and 7 years, respectively. Following an appeal to the Supreme Court, their sentences had been reduced to 4 years and 3 years. It was clear from the record that their convictions had not been due to the fact that they were journalists. Where criticism exceeded reasonable bounds, however, the law had to step in.

41. As for the possibility of decriminalizing defamation, the Penal Code was currently being reviewed and the issue was being discussed with various stakeholders. The final decision on that issue would be taken by Parliament. Meanwhile, the number of cases of defamation had dropped drastically: in the past five years, only seven persons had been prosecuted on defamation charges.

42. In all, 11 political organizations were registered in Rwanda. By law, political parties were to inform the proper administrative authorities in advance of plans to hold public meetings or demonstrations. The reasons for that requirement were, inter alia, the need to

preserve public order and, in some cases, to divert traffic. With regard to the cases of Mr. Sibomana and Mr. Shyirambere, referred to in paragraph 21 of the list of issues, they had been arrested for reasons other than organizing a peaceful protest. Around 1,600 civil society organizations had registered since the year 2000. In addition, 83 NGOs and 50 religious organizations were currently in the process of being registered. As at 15 March 2016, 164 international NGOs had been registered and the registration applications of 10 others were currently being processed. Six international NGOs had discontinued their activities in Rwanda. The Rwanda Governance Board was modernizing its registration process with a view to making it fully electronic, which would expedite the procedure. In some cases the authorities required more time to analyse information relating to funds and planned projects. Under article 11 of the law governing NGO registration, a certificate could be issued for a period of up to five years.

43. The measures in place for the protection of all Rwandan citizens also applied to human rights defenders and journalists. Under the Access to Information Law, journalists had the right to seek information from public institutions and to report any refusal to the Office of the Ombudsman. Article 13 of the 2013 Rwanda Media Law protected freedom of the press. Although journalists were under no obligation to reveal their sources, under very exceptional circumstances a court could order that they reveal them. In the Government's view the safeguards in place in that regard were sufficient.

44. In the case of Gustave Makonene, an employee of Transparency International, whose body had been found along the shore of Lake Kirvu, two policemen had been accused of his murder and had finally pleaded guilty at the trial. The High Court had sentenced each of them to 20 years of imprisonment.

45. It was difficult to obtain accurate statistics on unregistered children in the country, but the delegation would try to provide reliable figures to the Committee, along with information on the measures taken to ensure the registration of such children. Under the law, all children must be registered. Parents who had not registered their children were given additional time to do so but they had to pay a late fee. The Government believed that such a penalty would not make people reluctant to register their children but would instead encourage them to do so promptly. Under a new law that was about to be enacted, registration would be possible at hospitals or health facilities where children were born. Such registration would be free of charge.

46. The Government had a zero-tolerance policy with regard to all forms of discrimination. Efforts had been made to help the Batwa community to integrate, and basic care was being provided to 15,552 persons from that community. Over 500 Batwa students were attending various educational institutions and skills training programmes, and 2,442 members of the Batwa community were attending tertiary institutions.

47. There were currently 77,555 refugees from Burundi in Rwanda and the number went up every week. Refugees had access to clean water and the same education, health and other services as Rwandan citizens. Although the Government inevitably ran into problems in providing for such a huge number of people, it was doing its best to ensure the availability of the necessary services. The presence of refugees from Burundi in Rwanda in areas close to the border with that country had become more of a political than a social problem. The Government would work on the issue with the international community in order to protect and provide for the refugees, in compliance with the 1951 Convention relating to the Status of Refugees. Those refugees had prima facie refugee status, and the Government was closely monitoring conditions in their camps. The refugee camps needed to be expanded on a regular basis but the Government was managing as best it could and was making every effort to comply with its obligations under domestic and international law.

48. The referendum process had started long before 2015 and had been driven not by the Government but by citizens, 3.7 million of whom had submitted petitions. Members of Parliament had visited 416 sectors in Rwanda in order to hold consultations with citizens before and after the referendum. The delegation would provide written information on the legal framework within which the referendum had been conducted.

49. **Mr. Politi** said that he wished to know whether it was true that military courts could try civilians if they had been accomplices to soldiers who had committed a crime and, if so, what impact that had on the procedural rights of civilian defendants. Information on the number of civilians who had been tried in military courts and on the offences with which they had been charged would also be welcome. Was it true that many of the civilians tried by military courts had been charged with crimes against State security?

50. **Mr. Seetulsingh** said that, according to the information provided by the delegation, there were 285 juveniles in prison. He would like to know whether those juveniles were street children, whether they had been imprisoned for specific offences and what type of rehabilitation they were provided with.

51. **Mr. Vardzelashvili** said he would be interested to hear the views of the delegation concerning the kinds of problems that arose with regard to laws regulating freedom of assembly, freedom of speech and the registration of NGOs. Although there could be many reasons why journalists were prosecuted, the Committee was concerned about the large number of such trials and wished to understand the reasons behind them. Although, according to the delegation, there were quite a large number of registered NGOs in Rwanda, he wondered whether those figures were high because some of those organizations had had to re-register several times. He would also be interested to know whether, in the Government's opinion, the laws governing the registration of various organizations facilitated, rather than hindered, their work.

52. **Mr. Busingye** (Rwanda) said that civilian defendants in military courts had the same rights as defendants in civilian courts. The reason why military courts were allowed to try civilians was because military personnel and civilians often operated in the same context and sometimes committed offences together. He did not agree with the assertion that trials involving crimes against State security were particularly frequent in military courts. Those courts tried persons charged with many different crimes, including financial offences and burglary. Additional data would be provided in writing.

53. All convicted minors were sent to a special prison for juveniles located in the eastern part of Rwanda. They were not held in the same prisons as adults because that might lead them to commit more serious crimes later on. The aim was to help those children by giving them another chance.

54. Further work and further dialogue on the laws that regulated freedom of assembly and freedom of speech were called for. The existing laws allowed the Government to check NGOs' sources of funding and to ensure that NGOs and journalists were properly registered. He acknowledged, however, that broader application of the right to freedom of assembly must be ensured.

55. He was proud of the progress achieved thus far in upholding civil and political rights in Rwanda, but much still remained to be done. The Government was seeking to introduce measures that would bring about continuing improvements in the lives of its people. In the course of their dialogue with the Rwandan delegation, members of the Committee had alluded to the history of Rwanda, in general, and to the genocide, in particular. He could assure the Committee that the Government in no way felt that the history of Rwanda absolved it of its responsibilities; on the contrary, what had happened in the past reinforced its determination to make every effort to prevent history from repeating itself.

56. **The Chair** said that he wished to stress the need for domestic laws and regulations in Rwanda to be brought into line with the Covenant and for steps to be taken to ensure their full implementation and to put an end to impunity from prosecution for human rights violations. The Government should review the legal framework governing freedom of expression and association in the country. The Committee was looking forward to receiving additional information within 48 hours on enforced disappearances and other issues. It would also be interesting to learn of any progress made by Rwanda with regard to the resubmission of a declaration under article 34 (6) of the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights. In conclusion, he invited the Government of Rwanda to consider ratifying the Optional Protocol to the Covenant.

The meeting rose at 1.10 p.m.